

**THE FAYETTE COUNTY PLANNING COMMISSION** held a **Public Meeting/Workshop** on June 18, 2009, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Suite 100, Fayetteville, Georgia.

**MEMBERS PRESENT:** Douglas Powell, Chairman  
Tim Thoms, Vice-Chairman  
Bill Beckwith  
Jim Graw  
Al Gilbert

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Pete Frisina, Director of Planning & Zoning  
Dennis Dutton, Zoning Administrator  
Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

**Welcome and Call to Order:**

Chairman Powell called the Public Meeting/Workshop to order and introduced the Board Members and Staff.

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**1. Discussion of proposed amendments to the Fayette County Zoning Ordinance as presented by the Planning & Zoning Department.**

Dennis Dutton presented the following proposed amendments to the PC as follows:

**01/23/09 – BOC Retreat**

**06/18/09 – PC Wkshop (Tract or Parcel changed to Lot) (Residential Zoning Districts Only)**

**PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE  
ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS**

**Horse Farm. (Allowed in R-85, R-80, R-78, R-75, R-72, R-70, R-55, R-50, R-45, R-40, R-20, and PUD-PRD.)**

**a. Minimum lot size: 20 acres**

**b. A minimum 100 foot setback from all property lines shall be required for a horse stable.**

- c.     *A horse stable shall not be located within 100 feet of the principal structure (dwelling) or connected to any structures.*
- d.     *A horse stable shall not exceed 5,000 square feet.*
- e.     *Only one (1) horse stable shall be permitted and shall not be counted as an accessory structure.*
- f.     *A horse stable shall comply with the architectural standards (See Article V.). Elevations shall be submitted for approval.*
- g.     *Horse stable may have plumbing and electricity, but shall not be used for residential purposes.*
- h.     *Riding lessons and boarding is prohibited.*

Jim Graw stated that the 20 acre requirement was making it impossible for anyone in an “R” district to have a horse farm; however, the A-R zoning district only requires five (5) acres. He added that a definition needed to be added for a horse farm.

Pete Frisina explained that anyone in an “R” district are required to have three (3) acres for the first horse plus one (1) horse per acre thereafter. He reported that the Department of Agriculture indicates one (1) acre to three (3) acres per horse. He noted that the primary use for an “R” zoning district is residential, while the primary use for the A-R zoning district is agricultural. He advised that there are blanket zoned areas such as R-20 and R-70 with large tracts surrounded by subdivisions and they may not be able to rezone to A-R due to the designation on the Comprehensive Plan and the other uses which may be offensive to the “R” zoned properties.

Dennis Dutton said that he had met with property owners who are zoned R-70 and own from 30 acres to 60 acres and they want to raise horses; however, the land use designation does not support rezoning to A-R which allows livestock. He added that the maximum size accessory structure for an “R” district is 1,800 square feet.

Jim Graw expressed concern about the minimum lot size of 20 acres, a 5,000 square foot horse stable when a horse stall is generally 10’ X 10’, and requiring a horse stable to comply with architectural standards. He also expressed concern about the development of a horse farm and then the property owner deciding to subdivide the property which could contain a 5,000 square foot horse stable.

Chairman Powell advised that the horse stable would be required to be removed.

Mr. Dutton replied that he was flexible on the minimum lot size. He stated that he was also trying to protect the adjacent properties in an “R” zoning district by requiring the horse stable to comply with the architectural standards, requiring a 100 foot setback from all property lines, and by prohibiting riding lessons and boarding.

Jim Graw stressed that the A-R requires a minimum lot size of five (5) acres with unlimited horses while an “R” zoning district only requires three (3) acres for the first horse and one (1) acre per horse thereafter.

Chairman Powell suggested changing item h. to read: Commercial riding lessons and boarding are prohibited.

Chairman Powell asked staff to develop a definition for a horse farm and to review other ordinances and see how they address horses.

**PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE  
ARTICLE VII. CONDITIONAL USES, EXCEPTIONS, AND MODIFICATIONS**

**Horse Stable. (Allowed in the A-R Zoning District).**

- a. Farm size over ten (10) acres, no restriction on the size or the number of horse stables.**
- b. Farm size five (5) to ten (10) acres, one (1) detached horse stable shall not exceed 1,800 square feet.**

Tim Thoms asked why a detached horse stable could not exceed 1,800 square feet with five (5) to ten (10) acres.

Robyn Wilson explained that both a. and b. were taken from the current requirements for a farm outbuilding in the A-R zoning district.

- c. A minimum 100 foot setback from all property lines shall be required for a horse stable.**

- d. *A horse stable shall not be located within 100 feet of the principal structure (dwelling) or connected to any structures on site; however, a horse stable may be constructed prior to the principal structure (dwelling).*
- e. *A horse stable shall not be counted as an accessory structure.*
- f. *If a horse stable is utilized for boarding and/or riding lessons, a Site Plan shall be required; however, a horse stable shall be exempt from architectural standards (See Article V.)*
- g. *Horse stable may have plumbing and electricity, but shall not be used for residential purposes.*
- h. *Riding lessons shall be allowed.*

Pete Frisina advised that there are existing horse stables being utilized commercially in the A-R zoning district; however, they are not addressed in the ordinance. He explained that the proposed amendments basically outline how a horse stable has been handled over the years.

Jim Graw confirmed that a horse stable would be required to have an occupational tax and also be regulated by the State.

**PROPOSED AMENDMENTS TO THE FAYETTE COUNTY ZONING ORDINANCE  
ARTICLE VI. DISTRICT USE REQUIREMENTS**

**6-1. A-R Agricultural - Residential District.**

- A. Description of District. This district is composed of certain lands and structures having a very low density single-family residential and agricultural character and designed to protect against the depreciating effects of small lot, residential development and those uses which are incompatible with such a residential and agricultural environment.

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B. Permitted Uses. The following Permitted Uses shall be allowed in the A-R Zoning District:

1. Single-family dwelling;
2. Recreation centers and similar institutions owned by non-profit organizations so designated by the Internal Revenue Code, as amended;
3. Accessory buildings and uses, **including one (1) semi-trailer used to store agricultural items only;**
4. Growing of crops and the on-premise sale of produce and agriculture, provided 50% **percent** of the produce sold must be raised on-premise; (Amended 06/26/03)

Chairman Powell suggested to change item 4. as follows:

Growing of crops and the on-premise sale of produce and agricultural products, provided 50 percent of the produce/products sold shall be grown on-premise.

5. Plant nurseries and greenhouses (no sales of related garden supplies); and (Amended 06/26/03)
6. Raising of livestock and the sale thereof.

C. Conditional Uses. The following Conditional Uses shall be allowed in the A-R Zoning District provided that all conditions specified in ~~Section 7-1~~ **Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval,** herein are met:

1. Aircraft Landing Area;
2. Animal Hospital, Kennel (Commercial or Non-commercial), or Veterinary Clinic;
3. Cemetery and Mausoleum (Human or Pet);
4. Church, Temple, or Place of Worship;

5. Church or Religious Tent Meeting;
6. Commercial Driving Range;
7. Colleges and Universities;
8. Day Care Facility (Nursery School or Kindergarten);
9. Developed Residential Recreational/Amenity Areas;
10. Farm Outbuilding and Greenhouses; (Amended 04/09/98)
11. Golf Course;
12. Home Occupation;
13. Hospital;

**Horse Stable (boarding and riding lessons permitted);**

14. Kennel (See Animal Hospital, etc.);
15. Processing, packaging, or handling of perishable agricultural products (i.e. fruits and vegetables) which are grown on premises;
16. Rifle Range;
17. School (Private ~~and Special~~), and Accessory Sports Arena, Stadium or Recreation Field;

Chairman Powell suggested changing the title to Private School.

18. Telephone, Electric or Gas Sub-Station or Other Public Utility Facilities; and
19. Temporary Carnival or Rodeo.

- D. Dimensional Requirements. The minimum dimensional requirements in the A-R Zoning District shall be as follows:

1. Lot area: 217,800 square feet (five [5] acres)
2. Lot width: 250 feet
3. Floor area: 1,200 square feet
4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: 100 feet
    - (2) Collector: 100 feet
  - b. Minor thoroughfare: ~~seventy-five (75)~~ 75 feet
5. Rear yard setback: ~~seventy-five (75)~~ 75 feet
6. Side yard setback: ~~fifty (50)~~ 50 feet
7. a. Height limit: ~~Thirty-five (35)~~ 35 feet as defined in Article III, ~~Sec. 3-12.~~ (Adopted 11/18/04)
  - b. The limitation on height shall not apply to agricultural structures such as storage barns, silos, or other types of structure not normally designed for human occupation except that when an agricultural structure exceeds the maximum building height the minimum distance from property lines to any building shall be increased one (1) foot for every two (2) feet or part thereof of building height over ~~thirty-five (35)~~ 35 feet. (Adopted 11/18/04)

- E. Special Regulations. Prior to the issuance of development and/or building permits, a Site Plan must be submitted to the Zoning Administrator and approved by the appropriate County officials. This requirement shall apply to all Permitted Uses and Conditional Uses allowed in the A-R Zoning District except single-family dwellings; accessory buildings and uses; growing crops and the on-premise sale of produce at agricultural stands of 100 square feet or less of floor area; growing and seasonal sale

of Christmas trees; plant nursery, landscape tree farm, or greenhouse operations existing prior to the effective date of June 26, 2003; and the raising and/or selling of livestock. (Amended 06/26/03)

**6-2. EST, Estate Residential District** (Amended in its entirety 08/11/05)

- A. Purpose. An Estate Residential subdivision is a residential subdivision where lots are reduced in size and clustered to provide conservation area. Each Estate Residential subdivision will consist of two areas, a residential area and a conservation area. The conservation area will be protected from development in perpetuity by an easement or deed restriction. The conservation area will be utilized for approved recreation for the residents of the subdivision. The clustering of lots can result in lower infrastructure costs both for installation and maintenance. The Estate Residential Zoning District is intended for those areas designated Agricultural Residential (1 unit/5 acres) on the Fayette County Land Use Plan Map. (Amended 07/27/06)

Pete Frisina suggested adding the following sentence prior to the last sentence: The creation of the EST Estate Residential District is to assist Fayette County in permanently protecting the greenspace in the county.

- B. Rezoning Requirements. The following is required for a rezoning request for the Estate Residential Zoning District in addition to what is normally required for a rezoning request:
1. A request for the Estate Residential Zoning District will require a Yield Plan. The number of lots allowed in a Estate Residential Zoning District will be determined by a Yield Plan which is a conventional subdivision design based on the dimensional requirements of the A-R Zoning District. This concept is referred to as Neutral Density. The Yield Plan must contain the check list requirements available in the office of the Zoning Administrator.
  2. The ~~Concept~~ Development Plan shall be required for the rezoning petition ~~will act as the Development Plan for the development.~~ The ~~Concept/~~ Development Plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved ~~Concept/~~ Development Plan, which affects the intent and character of the development, the density or land use pattern, or similar substantial changes, must be reviewed and

approved by the Board of Commissioners upon the recommendation of the



Planning Commission. A request for a revision of the ~~Concept~~ Development Plan shall be supported by a written statement as to why the revisions are necessary.

In addition to what is normally required on the ~~Concept~~ Development Plan, the ~~Concept~~ Development Plan must include the following;

- a. A delineation of the residential area and the conservation area including the approximate acreage within each area; (Amended 07/27/06)
  - b. Uses and improvements planned for the conservation area with the acreage devoted to each; and (Amended 07/27/06)
  - c. Indicate and label existing structures to remain.
- C. Uses Permitted within the Residential Area of an Estate Residential Subdivision. The following permitted uses shall be allowed in the Residential Area of the Estate Residential Zoning District:
1. Single-family dwelling; and
  2. Residential accessory buildings and uses.
- D. Conditional Uses Permitted within the Residential Area of an Estate Residential Subdivision. The following Conditional Uses shall be allowed in the Residential Area of Estate Residential Zoning District, provided that all conditions specified in ~~Section 7-1~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:
1. Developed Residential Recreational/Amenity Areas
  2. Home Occupation;
  3. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.

Chairman Powell suggested adding Horse Stable as a Conditional Use in the common areas.

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Pete Frisina reminded the PC that this was discussed with the development of the EST zoning district; however, there were concerns that if the taxes were not paid on the common area and the

County had to take it over, there would be buildings to be maintained by the County. He added that it had been suggested to remove allowing horse stables in the C-S zoning district.

- E. Uses Permitted within the Conservation Area of an Estate Residential Subdivision. The following permitted uses and structures shall be allowed in the conservation area of the Estate Residential Zoning District: (Amended 07/27/06)

1. Trails and paths (impervious trails and paths are limited to five [5] percent of the conservation area and trails and paths must comply with the Watershed Protection Ordinance ~~in terms of impervious surface requirements~~); (Amended 07/27/06)

Pete Frisina suggested revising the five (5) percent limitation for impervious trails and paths which was originally based on the Greenspace Program.

2. Picnic areas which can include picnic tables, grills, benches, playground equipment (swing sets, slides, etc.). Picnic Areas are required to be setback 50 feet from any residential property line and are limited to five (5) percent of the conservation area; (Amended 07/27/06)

Chairman Powell suggested adding a Covered Picnic Pavilion and establishing a maximum square footage.

3. Community gardens for the use of the residents of the subdivision only;
4. The maintenance of existing orchards and groves including the harvesting of fruit and nuts;
5. The maintenance of existing pastures including the harvesting of hay; and
6. The maintenance of existing farm fields used for row crops including the harvesting of crops. Said fields must be outside of watershed protection areas as described in the Watershed Protection Ordinance. All areas within a watershed protection area can no longer be used for row crops. The area within a watershed protection area could be used in accordance with 5. above. (Amended 07/27/06)

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- F. Dimensional Requirements. The minimum dimensional requirements within the Residential Area in the Estate Residential Zoning District shall be as follows:

1. Lot area per dwelling unit: 108,900 square feet (two and one half [2.5] acres)
2. Lot width per dwelling unit: 160 feet
3. Floor area: 2,500 square feet (Amended 05/22/08)
4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: 100 feet
    - (2) Collector: ~~seventy-five (75)~~ 75 feet
  - b. Minor thoroughfare: ~~fifty (50)~~ 50 feet
5. Rear yard setback: ~~fifty (50)~~ 50 feet
6. Side yard setback: ~~twenty-five (25)~~ 25 feet
7. Height limit: ~~thirty-five (35)~~ 35 feet

G. Use of Existing Structure. The preservation of existing historic residential structures listed in the Architectural Survey of Fayette County is encouraged as these structures can be used as residences or community facilities for the subdivision. Existing residential structures used for a community facility must meet all applicable building and safety codes and will be regulated as a Conditional Use under Developed Residential Recreational/Amenity Areas. The preservation of existing agricultural structures is also encouraged as they will assist in maintaining a rural character. The use of these residential and agricultural structures will be subject to the approval of the Zoning Board of Appeals in terms of nonconformance with this zoning district.

H. Conservation Area Requirements. The conservation area of the subdivision shall meet the following requirements: (Amended 07/27/06)

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1. Ownership. Title to the conservation area must be conveyed to one of the following entities: (Amended 07/27/06)
  - a. A Home Owners Association that has been established according to

OCGA 44-3-220;

- b. A Conservation Trust organization approved by the Fayette County Board of Commissioners; or
  - c. The Fayette County Board of Commissioners (for conservation areas with no structures only). (Amended 07/27/06)
2. Size. A minimum of 40 percent of the total subject property must be set aside in conservation area. The conservation area described in its entirety by metes and bounds, total acreage and percentage of total subject property must be submitted to the Fayette County Zoning Department in the Final Plat stage prior to Final Plat approval. (Amended 07/27/06)
3. Permanent Protection. Each conservation area regardless of ownership must have an easement or deed restriction as approved by the county attorney filed in the records of the Fayette County Clerk of Superior Court. The easement or deed restriction shall reserve the conservation area to uses as defined herein in perpetuity. (Amended 07/27/06)

**6-3. R-85 Single-family Residential District.**

- A. Description of District. This district is composed of certain lands and structures, having a low density single-family character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- B. Permitted Uses. The following uses shall be permitted in the R-85 Zoning District:
- 1. Single-family dwelling;
  - 2. Accessory buildings and uses; and
  - 3. Growing crops, gardens.

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- C. Conditional Uses. The following Conditional Uses shall be allowed in the R-85 Zoning District provided that all conditions specified in ~~Section 7-4~~ **Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval,** herein are met:

1. Church, Temple, or Place of Worship;
2. Developed Residential Recreational/Amenity Areas;
3. Home Occupation;
- 4. Horse Farm (boarding and riding lessons are prohibited);**
4. School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.

D. Dimensional Requirements. The minimum dimensional requirements in the R-85 Zoning District shall be as follows:

1. Lot area per dwelling unit: 130,680 square feet (three [3] acres)
2. Lot width: 125 feet
3. Floor area: 3,000 square feet
4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: 100 feet
    - (2) Collector: ~~seventy-five (75)~~ **75** feet
  - b. Minor thoroughfare: ~~fifty (50)~~ **50** feet

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5. Rear yard setback: ~~fifty (50)~~ **50** feet
6. Side yard setback: ~~twenty-five (25)~~ **50** feet
7. Height limit: ~~thirty-five (35)~~ **35** feet

**6-4. R-80 Single-Family Residential District.**

- A. Description of District. This district is composed of certain lands and structures having a very low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- B. Permitted Uses. The following Permitted Uses shall be allowed in the R-80 Zoning District:
1. Single-family dwelling;
  2. Accessory buildings and uses; and
  3. Growing crops, gardens.
- C. Conditional Uses. The following Conditional Uses shall be allowed in the R-80 Zoning District provided that all conditions specified in ~~Section 7-1~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:
1. Church, Temple, or Place of Worship;
  2. Developed Residential Recreational/Amenity Areas;
  3. Home Occupation;
  4. *Horse Farm (boarding and riding lessons are prohibited);*
  - ~~45.~~ School (Private and Special), and Accessory Sports, Arena, Stadium or Recreation Field; and

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Chairman Powell suggested changing the title to Private School.

- ~~56.~~ Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.

- D. Dimensional Requirements. The minimum dimensional requirements in the R-80 Zoning District shall be as follows:

1. Lot area per dwelling: 130,680 square feet (three [3] acres)
2. Lot width: 175 feet
3. Floor area: 2,500 square feet
4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: ~~seventy-five (75)~~ 75 feet
    - (2) Collector: ~~seventy-five (75)~~ 75 feet
  - b. Minor thoroughfare: ~~fifty (50)~~ 50 feet
5. Rear yard setback: ~~fifty (50)~~ 50 feet
6. Side yard setback: ~~thirty (30)~~ 30 feet
7. Height limit: ~~thirty-five (35)~~ 35 feet

**6-5. R-78 Single-family Residential District.**

- A. Description of District. This district is composed of certain lands and structures, having a low density single-family character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

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- B. Permitted Uses. The following uses shall be permitted in the R-78 Zoning District:
1. Single-family dwelling;
  2. Accessory buildings and uses; and
  3. Growing crops, gardens.

- C. Conditional Uses. The following Conditional Uses shall be allowed in the R-78 Zoning District provided that all conditions specified in ~~Section 7-4~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:

1. Church, Temple, or Place of Worship;
2. Developed Residential Recreational/Amenity Areas;
3. Home Occupation;
- 4. Horse Farm (boarding and riding lessons are prohibited);**
- ~~45.~~ School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

- ~~56.~~ Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.

- D. Dimensional Requirements. The minimum dimensional requirements in the R-78 Zoning District shall be as follows:

1. Lot area per dwelling unit: 87,120 square feet (two [2] acres)
2. Lot width: 125 feet
3. Floor area: 3,000 square feet
4. Front yard setback:

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- a. Major thoroughfare:
    - (1) Arterial: 100 feet
    - (2) Collector: ~~seventy-five (75)~~ **75** feet
  - b. Minor thoroughfare: ~~fifty (50)~~ **50** feet
5. Rear yard setback: ~~fifty (50)~~ **50** feet



6. Side yard setback: ~~twenty five (25)~~ **25** feet

7. Height limit: ~~thirty five (35)~~ **35** feet

**6-6. R-75 Single-family Residential District.**

A. Description of District. This district is composed of certain lands and structures, having a low density single-family character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

B. Permitted Uses. The following uses shall be permitted in the R-75 Zoning District:

1. Single-family dwelling;
2. Accessory buildings and uses; and
3. Growing crops, gardens.

C. Conditional Uses. The following Conditional Uses shall be allowed in the R-75 Zoning District provided that all conditions specified in ~~Section 7-4~~ **Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval,** herein are met:

1. Church, Temple, or Place of Worship;
2. Developed Residential Recreational/Amenity Areas;

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3. Home Occupation;

**4. *Horse Farm (boarding and riding lessons are prohibited);***

4. School (Private and ~~Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.

D. Dimensional Requirements. The minimum dimensional requirements in the R-75 Zoning District shall be as follows:

1. Lot area per dwelling unit: 87,120 square feet (two [2] acres)
2. Lot width: 125 feet
3. Floor area: 2,500 square feet
4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: 100 feet
    - (2) Collector: ~~seventy-five (75)~~ 75 feet
  - b. Minor thoroughfare: ~~fifty (50)~~ 50 feet
5. Rear yard setback: ~~fifty (50)~~ 50 feet
6. Side yard setback: ~~twenty-five (25)~~ 25 feet
7. Height limit: ~~thirty-five (35)~~ 35 feet

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6-7. **R-72 Single-family Residential District.**

- A. Description of District. This district is composed of certain lands and structures having a low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- B. Permitted Uses. The following Permitted Uses shall be allowed in the R-72 Zoning District:
  1. Single-family dwelling;

2. Accessory buildings and uses; and
3. Growing crops, gardens.

C. Conditional Uses. The following Conditional Uses shall be allowed in the R-72 Zoning District provided that all conditions specified in ~~Section 7-1~~ **Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval**, herein are met:

1. Church, Temple, or Place of Worship;
2. Developed Residential Recreational/Amenity Areas;
3. Home Occupation;
- 4. Horse Farm (boarding and riding lessons are prohibited);**
4. School (Private and ~~Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.

D. Dimensional Requirements. The minimum dimensional requirements in the R-72 Zoning District shall be as follows:

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1. Lot area per dwelling unit: 87,120 square feet (two [2] acres)
2. Lot width:
  - a. Major thoroughfare:
    - (1) Arterial: 175 feet
    - (2) Collector: 175
  - b. Minor thoroughfare: 150 feet

3. Floor area: 2,100 square feet
4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: ~~seventy-five (75)~~ **75** feet
    - (2) Collector: ~~seventy-five (75)~~ **75** feet
  - b. Minor thoroughfare: ~~fifty (50)~~ **50** feet
5. Rear yard setback: ~~fifty (50)~~ **50** feet
6. Side yard setback: ~~twenty-five (25)~~ **25** feet (Amended 06/25/98)
7. Height limit: ~~thirty-five (35)~~ **35** feet

**6-8. R-70 Single-Family Residential District.**

- A. Description of District. This district is composed of certain lands and structures having a low density single-family residential character and designed to protect against the polluting effects of excessive densities and development and those uses incompatible with a protected watershed area.

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Chairman Powell suggested changing “polluting” to “depreciating” to be consistent with the other residential zoning districts.

- B. Permitted Uses. The following Permitted Uses shall be allowed in the R-70 Zoning District:
  1. Single-family dwelling;
  2. Accessory buildings and uses; and
  3. Growing crops, gardens.
- C. Conditional Uses. The following Conditional Uses shall be allowed in the R-70

Zoning District provided that all conditions specified in ~~Section 7-1~~ **Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval,** herein are met:

1. Church, Temple, or Place of Worship;
2. Developed Residential Recreational/Amenity Areas;
3. Home Occupation;
- 4. Horse Farm (boarding and riding lessons are prohibited);**
4. School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.
- E. **Dimensional Requirements.** The minimum dimensional requirements in the R-70 Zoning District shall be as follows:
1. Lot area per dwelling unit: 87,120 square feet (two [2] acres)

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2. Lot width:
  - a. Major thoroughfare:
    - (1) Arterial: 175 feet
    - (2) Collector: 175 feet
  - b. Minor thoroughfare: 150 feet
3. Floor area: 1,500 square feet
4. Front yard setback:

- a. Major thoroughfare:
  - (1) Arterial: ~~seventy-five (75)~~ **75** feet
  - (2) Collector: ~~seventy-five (75)~~ **75** feet
- b. Minor thoroughfare: ~~fifty (50)~~ **50** feet
- 5. Rear yard setback: ~~fifty (50)~~ **50** feet
- 6. Side yard setback: ~~twenty-five (25)~~ **25** feet
- 7. Height limit: ~~thirty-five (35)~~ **35** feet

**6-9. R-55 Single-family Residential District.**

A. Description of District. This district is composed of certain lands and structures having a low density single-family character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

B. Permitted Uses. The following uses shall be permitted in the R-55 Zoning District:

- 1. Single-family dwelling;

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- 2. Accessory buildings and uses; and
- 3. Growing crops, gardens.

C. Conditional Uses. The following Conditional Uses shall be allowed in the R-55 Zoning District provided that all conditions specified in ~~Section 7-1~~ **Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval,** herein are met:

- 1. Church, Temple, or Place of Worship;
- 2. Developed Residential Recreational/Amenity Areas;
- 3. Home Occupation;

**4. Horse Farm (boarding and riding lessons are prohibited);**

4. School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.

**D. Dimensional Requirements.** The minimum dimensional requirements in the R-55 Zoning District shall be as follows:

1. Lot area per dwelling unit:
  - a. Where central sanitary sewage or central water distribution system is provided: 43,560 square feet (one [1] acre)
  - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (one and one-half [1.5] acres)
2. Lot width: 150 feet (Amended 04/09/98)

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3. Floor area: 2,500 square feet
4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: 100 feet
    - (2) Collector: ~~seventy-five (75)~~ **75** feet
  - b. Minor thoroughfare: ~~fifty (50)~~ **50** feet
5. Rear yard setback: ~~fifty (50)~~ **50** feet
6. Side yard setback: ~~twenty-five (25)~~ **25** feet

7. Height limit: ~~thirty-five (35)~~ 35 feet

**6-10. R-50 Single-family Residential District.**

- A. Description of District. This district is composed of certain lands and structures having a low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- B. Permitted Uses. The following permitted uses shall be allowed in the R-50 Zoning District:
1. Single-family dwelling;
  2. Accessory buildings and uses; and
  3. Growing crops, gardens.
- C. Conditional Uses. The following Conditional Uses shall be allowed in the R-50 Zoning District provided that all conditions specified in ~~Section 7-1~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:

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1. Church, Temple, or Place of Worship;
2. Developed Residential Recreational/Amenity Areas;
3. Home Occupation;
4. ***Horse Farm (boarding and riding lessons are prohibited);***
4. School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.
- D. Dimensional Requirements. The minimum dimensional requirements in the R-50 Zoning District shall be as follows:



1. Lot area per dwelling unit:
  - a. Where central sanitary sewage or central water distribution system is provided: 43,560 square feet (one [1] acre)
  - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (one and one-half [1.5] acres)
2. Lot width:
  - a. Major thoroughfare:
    - (1) Arterial: 150 feet
    - (2) Collector: 150 feet
  - b. Minor thoroughfare: 125 feet
3. Floor area: 2,100 square feet
4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: 100 feet
    - (2) Collector: ~~seventy-five (75)~~ 75 feet
  - b. Minor thoroughfare: ~~fifty (50)~~ 50 feet
5. Rear yard setback: ~~thirty (30)~~ 30 feet
6. Side yard setback: ~~twenty (20)~~ 20 feet
7. Height limit: ~~thirty-five (35)~~ 35 feet

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**6-11. R-45 Single-family Residential District.**

- A. Description of District. This district is composed of certain lands and structures having a low density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- B. Permitted Uses. The following Permitted Uses shall be allowed in the R-45 Zoning District:
1. Single-family dwelling;
  2. Accessory buildings and uses; and
  3. Growing crops, gardens.
- C. Conditional Uses. The following Conditional Uses shall be allowed in the R-45 Zoning District provided that all conditions specified in ~~Section 7-4~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:
1. Church, Temple, or Place of Worship;

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2. Developed Residential Recreational/Amenity Areas;
3. Home Occupation;
- 4. Horse Farm (boarding and riding lessons are prohibited);**
4. School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.
- D. Dimensional Requirements. The minimum dimensional requirements in the R-45 Zoning District shall be as follows:
1. Lot area per dwelling unit:
    - a. Where central sanitary sewage or central water distribution system is

provided: 43,560 square feet (one [1] acre)

- b. Where neither a central sanitary nor central water distribution system is provided: 65,340 square feet (one and one-half [1.5] acres)

2. Lot width: 125 feet

3. Floor area: 1,800 square feet

4. Front yard setback:

- a. Major thoroughfare:

(1) Arterial: ~~sixty (60)~~ **60** feet

(2) Collector: ~~sixty (60)~~ **60** feet

- b. Minor thoroughfare: ~~forty (40)~~ **40** feet

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5. Rear yard setback: ~~forty (40)~~ **40** feet  
(Amended 04/09/98)

6. Side yard setback: ~~twenty (20)~~ **20** feet  
(Amended 04/09/98)

7. Height limit: ~~thirty-five (35)~~ **35** feet

**6-12. R-40 Single-Family Residential District.** (Added in its entirety on 04/09/98)

A. Description of District. This district is composed of certain lands and structures in the County, having a low density single-family residential character and is designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.

B. Permitted Uses. The following Permitted Uses shall be allowed in the R-40 Zoning District:

- 1. Single-family dwelling;

2. Accessory buildings and uses; and
  3. Growing crops, gardens.
- C. Conditional Uses. The following Conditional Uses shall be allowed in the R-40 Zoning district provided that all conditions specified in ~~Section 7-4~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:
1. Church, Temple, or Place of Worship;
  2. Developed Residential Recreational/Amenity Areas;
  3. Home Occupation;
  4. ***Horse Farm (boarding and riding lessons are prohibited);***

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4. School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.
- D. Dimensional Requirements. The minimum dimensional requirements within the R-40 Zoning District shall be as follows:
1. Lot area per dwelling unit:
    - a. Where central sanitary sewage or central water distribution systems are provided: 43,560 square feet (one [1] acre)
    - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (one and one-half [1.5] acres)
  2. Lot Width:

- a. Major thoroughfare:
  - (1) Arterial: 150 feet
  - (2) Collector: 150 feet
- b. Minor thoroughfare: 125 feet
- 3. Floor area: 1,500 square feet
- 4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: ~~sixty (60)~~ **60** feet
    - (2) Collector: ~~sixty (60)~~ **60** feet

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- b. Minor thoroughfare: ~~forty (40)~~ **40** feet
- 5. Rear yard setback: ~~thirty (30)~~ **30** feet
- 6. Side yard setback: ~~fifteen (15)~~ **15** feet
- 7. Height limit: ~~thirty-five (35)~~ **35** feet

**6-13. R-20 Single-family Residential District.**

- A. Description of District. This district is composed of certain lands and structures having a medium density single-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- B. Permitted Uses. The following Permitted Uses shall be allowed in the R-20 Zoning District:
  - 1. Single-family dwelling;
  - 2. Accessory buildings and uses; and

3. Growing crops, gardens.
- C. Conditional Uses. The following Conditional Uses shall be allowed in the R-20 Zoning district provided that all conditions specified in ~~Section 7-1~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:
1. Church, Temple, or Place of Worship;
  2. Developed Residential Recreational/Amenity Areas;
  3. Home Occupation;
  4. ***Horse Farm (boarding and riding lessons are prohibited);***

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4. School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.
- D. Dimensional Requirements. The minimum dimensional requirements in the R-20 Zoning District shall be as follows:
1. Lot area per dwelling unit:
    - a. Where a central sanitary sewage or a central water distribution system is provided: 43,560 square feet (one [1] acre)
    - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (one and one-half [1.5] acres)
  2. Lot width:
    - a. Major thoroughfare:

- (1) Arterial: 150 feet
    - (2) Collector: 150 feet
  - b. Minor thoroughfare: 125 feet
- 3. Floor area: 1,200 square feet
- 4. Front yard setback:
  - a. Major thoroughfare:
    - (1) Arterial: ~~sixty (60)~~ **60** feet
    - (2) Collector: ~~sixty (60)~~ **60** feet
  - b. Minor thoroughfare: ~~forty (40)~~ **40** feet
- 5. Rear yard setback: ~~thirty (30)~~ **30** feet
- 6. Side yard setback: ~~fifteen (15)~~ **15** feet
- 7. Height limit: ~~thirty-five (35)~~ **35** feet

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**6-14. DR-15 One and Two-family Residential District.**

- A. Description of District. This district is composed of certain lands and structures having a high density one and two-family residential character and designed to protect against the depreciating effects of small lot development and those uses incompatible with such a residential environment.
- B. Permitted Uses. The following Permitted Uses shall be allowed in the DR-15 Zoning District:
  - 1. Single-family dwelling;
  - 2. Accessory buildings and uses;
  - 3. Growing crops, gardens; and

4. Two-family dwellings.
- C. Conditional Uses. The following Conditional Uses shall be allowed in the DR-15 Zoning District provided that all conditions specified in ~~Section 7-1~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:
1. Church, Temple, or Place of Worship;
  2. Developed Residential Recreational/Amenity Areas;
  3. Home Occupation;

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4. School (Private ~~and Special~~), and Accessory Sports, Arena, Stadium or Recreation Field; and

Chairman Powell suggested changing the title to Private School.

5. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.
- D. Dimensional Requirements. The minimum dimensional requirements in the DR-15 Zoning District shall be as follows:
1. Lot area per dwelling:
    - a. Single-family or two-family dwelling with central sanitary sewage or central water distribution system: 43,560 square feet (one [1] acre)
    - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (one and one-half [1.5] acres)
  2. Lot width:
    - a. Major thoroughfare:
      - (1) Arterial: 125 feet



- (2) Collector: 125 feet
- b. Minor thoroughfare: 100 feet
- 3. Floor area:
  - a. Single-family dwelling: 1,200 square feet
  - b. Two-family dwelling: 1,800 square feet
- 4. Front yard setback:

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- a. Major thoroughfare:
    - (1) Arterial: ~~fifty (50)~~ **50** feet
    - (2) Collector: ~~forty five (45)~~ **45** feet
  - b. Minor thoroughfare: ~~forty (40)~~ **40** feet
- 5. Rear yard setback: ~~thirty (30)~~ **30** feet
- 6. Side yard setback: ~~ten (10)~~ **10** feet
- 7. Height limit: ~~thirty five (35)~~ **35** feet
- 8. Off-street parking: parking spaces for three (3) motor vehicles per dwelling unit

**6-15. RMF Multi-family Residential District.**

- A. Description of District. The intent of the RMF District is to provide locations in which high density residential uses can take place. The RMF District is designed to promote desirable housing conditions for high density residential uses, while minimizing the negative impacts associated with said uses on Fayette County's roads, schools, and water supply.
- B. Permitted Uses. The following Permitted Uses and Structures shall be allowed in the

RMF Zoning District:

1. Apartments; and
2. Townhouses.

C. Dimensional requirements. The minimum dimensional requirements in the RMF Zoning District shall be as follows:

1. Maximum requirements per development:
  - a. Maximum density: five (5) units per gross acre
  - b. Maximum number of dwelling units per development: 160
2. Minimum requirements for a development:
  - a. Site area: five (5) acres
  - b. Site frontage: ~~fifty (50)~~ **50** feet of immediate frontage on at least one (1) street which has been identified as an arterial as specified by the Fayette County Thoroughfare Plan.
  - c. Peripheral yard requirements:
    - (1) Front yard:
      - (a) Major thoroughfare:
        - (i) State-numbered route: 150 feet
        - (ii) Arterial: 100 feet
        - (iii) Collector: ~~eighty (80)~~ **80** feet
      - (b) Minor thoroughfare: ~~sixty (60)~~ **60** feet
    - (2) Side yard: ~~forty (40)~~ **40** feet
    - (3) Rear yard: ~~forty (40)~~ **40** feet

3. Lot Coverage and Minimum Open Space

- a. No more than ~~forty (40)~~ **40** percent of any development site may be covered with buildings, structures or parking areas. Driveways, sidewalks, covered patios, private recreation areas, and swimming pools shall not be computed as lot coverage.
- b. Private, usable open space, such as balconies, sun decks or patios shall be provided contiguous to each dwelling unit. The area of such open space shall not be less than ten (10) percent of the floor area of the

unit served except that balconies shall not be less than five (5) percent.

- c. The minimum distance between buildings, including any projections, shall not be less than ~~fifty (50)~~ **50** feet.

4. Height limit: ~~thirty five (35)~~ **35** feet

5. Floor area:

- a. One bedroom: 600 square feet
- b. Two bedroom: 850 square feet
- c. Three bedroom: 1,200 square feet

6. Special Location and Spatial Requirements

- a. No more than eight (8) dwelling units shall compose a single building.
- b. Within a townhouse development, no more than three (3) consecutive dwelling units which form a part of a single building shall have the same front setback or roof line. Such setback and roof line shall be varied by a minimum of ~~sixteen (16)~~ **16** inches.
- c. All exterior refuse areas or outside storage shall be screened in accordance with ~~Section 5-19~~ **Article V**.

- d. Recreational facilities, including swimming pools, shall not be located within 150 feet of any single-family residential district, unless the recreational facility is screened from view of the single-family district by a principal dwelling or accessory building which exceeds the length of the recreational facility by ~~twenty (20)~~ 20 feet in each direction.

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- e. At least ~~fifteen (15)~~ 15 percent of the total land area shall be reserved for recreation available to all residents of the development. At a minimum, recreation areas shall include the following:
  - (1) One (1) swimming pool at least 1,000 square feet;
  - (2) Two (2) standard tennis courts;
  - (3) One (1) children's playground; and
  - (4) ~~Twenty (20)~~ 20 off-street parking spaces.
- f. Parking areas shall not be located within the minimum required peripheral front, side, or rear yards of the development. A minimum of three (3) spaces are required per dwelling unit.

7. Circulation System Requirements

- a. Principal access drives serving more than ten (10) dwelling units shall be constructed to Fayette County public street standards.
- b. Parking areas shall be connected to living units by paved walkways. Sidewalks may be required where necessary for safe pedestrian circulation as determined by the County Engineer.

- 8. Landscape Areas and Buffers. If a rear or side peripheral yard adjoins a residential or A-R zoning district, a minimum buffer of ~~fifty (50)~~ 50 feet shall be provided within the required setback. The front peripheral yard shall be landscaped in accordance with the Development Regulations.

9. Subdivisions. Where developments are designed or otherwise proposed such that each dwelling therein is to be sold along with the land on which it sits and any yards, such divisions shall comply with the Fayette County Subdivision Regulations.

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**6-16. MHP Manufactured Home Park District.**

- A. Description of District. This district is composed of certain lands and structures for purpose of providing the proper development of manufactured home parks.
- B. Permitted Uses. The following Permitted Uses shall be allowed in the MHP Zoning District:
  1. Manufactured home park;
  2. Accessory buildings and uses;
  3. Office trailer; and
  4. Growing crops, gardens.
- C. Conditional Uses. The following Conditional Uses shall be allowed in the MHP Zoning District provided that all conditions specified in ~~Section 7-4~~ **Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval**, herein are met:
  1. Nursery schools and kindergartens, provided:
    - a. There are off-street loading and unloading spaces;
    - b. There is at least 100 square feet of outdoor play area per child; and
    - c. A fence of at least four (4) feet in height encloses the entire play area and is constructed in such a manner as to ~~insure~~ **ensure** maximum safety to the children.

2. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities

D. Special Regulations. The following regulations shall apply to the MHP Zoning District in addition to any other applicable regulations herein:

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1. Development Plan: The applicant shall file a petition with the Zoning Administrator for approval of a Manufactured Home Park. This application shall be supported by six (6) copies of a written summary of the development planned, known as a Letter of Intent, which shall describe the proposed development in detail and a Site Plan. The Site Plan and Letter of Intent shall present the following information:
  - a. A draft of the proposed rules and regulations which shall be established and enforced by the management of the Manufactured Home Park;
  - b. Existing topographic conditions, including where necessary, contour intervals of not less than two (2) feet based on field surveys or photogrammetric methods at a minimum scale of one (1) inch equal 100 feet (1" - 100');
  - c. The existing and proposed land uses and the approximate location of all buildings and structures;
  - d. The location of existing and proposed streets and parking areas;
  - e. A legal description of the subject property;
  - f. Typical elevation drawings, indicating general architectural style and building exterior materials, if possible, of all permanent buildings and structures to be constructed on the premises;
  - g. A statement of the present ownership of all land within the proposed development;
  - h. A summary of acres, dwelling units, and gross density, as well as a

statement of the number of acres devoted to buffer areas, and green belts or other amenities, such as lakes, etc.;

- i. A description of the phases under which construction shall be programmed, depicting the geographical limits of each phase of construction; and

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- j. Specific plans for provision of central water and central sanitary sewage systems.

- 2. Pre-application Conference. Prior to filing a formal application for a Manufactured Home Park the applicant is required to appear before the Planning Commission in a public hearing in order to provide for review of the general character of the proposed Manufactured Home Park development (on the basis of a tentative land use sketch, if available), and to obtain information on projected programs or improvements, as well as, County requirements.
- 3. Approval. An application for approval of a Manufactured Home Park will be considered administratively as a petition for rezoning, and will be subject to the procedures established in this Zoning Ordinance. After review and public hearing, the Board of Commissioners may disapprove, approve or approve with modifications to the Site Plan and/or Letter of Intent, after receiving the recommendation of the Planning Commission.
- 4. Use Regulations. In addition to the above listed permitted uses, the buildings or land shall only be used as follows:
  - a. Parking and inhabiting of manufactured homes in parks with a minimum of ~~fifty (50)~~ **50** spaces, provided all facilities shown on the Site Plan submitted to and approved by the Board of Commissioners are installed and maintained according to the schedule submitted with the Site Plan and stipulations of the Letter of Intent;
  - b. Recreation areas, office and/or maintenance and storage buildings, for residents of the Manufactured Home Park only. No repair facilities of any type including automobile repair shall be permitted;
  - c. Convenience food stores with a maximum of 1,500 square feet

including inside and outside storage, as an accessory to a Manufactured Home Park as designated on an approved Site Plan;

- d. Laundromat, including coin operated dry cleaning, as an accessory to a Manufactured Home Park as designated on an approved Site Plan, upon approval by the Fayette County Health Department;

- e. The sale or display of a manufactured home, provided each such manufactured home offered for sale shall be located on its individual lot and connected to all utilities.

5. Perimeter Requirements:

- a. A buffer zone having a minimum width of 150 feet shall be provided so as to provide a continuous buffer along all side and rear yards of any Manufactured Home Park.
- b. A buffer zone having a minimum depth of 100 feet shall extend along the entire frontage of any Manufactured Home Park.
- c. Where the existing foliage in the buffer zones is not sufficient to provide and maintain an evergreen visual screen between adjacent properties, landscaping and planting shall be required sufficient to provide visual separation and privacy between a Manufactured Home Park and adjacent properties and/or streets.

6. Storage Requirements. Each Manufactured Home Park shall provide an area for the storage of boats, travel trailers and/or other vehicles which shall be at least ten (10) percent of the gross area of the Manufactured Home Park, provided, however, said ten (10) percent is not located in a flood hazard area.

7. Circulation system. Each Manufactured Home Park shall have a minimum 200 feet of frontage, and only access, an Arterial Thoroughfare. Said access shall not exceed 600 feet in length as measured from the right-of-way.

- a. Each Manufactured Home Park over ~~twenty (20)~~ **20** acres in size shall have a minimum of two (2) access streets or drives to provide ingress and egress for vehicular traffic.
- b. Provision shall be made for safe, all-weather pedestrian movement



within the development.

8. Night Lighting. Streets, pedestrian walkways and parking areas shall be adequately lighted.

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9. Garbage Refuse Collection Facilities. Garbage refuse collection shall be provided by the Manufactured Home Park owner.
  10. Utilities. Each manufactured home shall be connected with water and sanitary facilities in a manner approved by the Fayette County Health Department and in compliance with the regulations of the Fayette County Water System. Each manufactured home shall be served by electricity and gas. All utilities shall be placed underground.
  11. Recreation Facilities. A minimum of ten (10) percent of the gross acreage of the Manufactured Home Park shall be provided for common facilities, open space, and recreation for the residents of the Manufactured Home Park.
- E. Dimensional Requirements. The minimum dimensional requirements in the MHP Zoning District shall be as follows:
1. No Manufactured Home Park shall be constructed or maintained on ~~a lot or~~ lot of a total area of less than ten (10) acres.
  2. Each manufactured home shall be located on a separate lot as follows:
    - a. Each lot shall have a minimum width of ~~sixty (60)~~ **60** feet.
    - b. Each lot shall contain a minimum of 6,000 square feet.
    - c. Each lot shall provide a paved concrete or all-weather patio area having a minimum area of 300 square feet.
  3. Manufactured Home Siting Requirements. Within ~~sixty (60)~~ **60** days of the siting of a manufactured home on its lot, the under-carriage of the manufactured home shall be concealed from view, through the use of permanent non-flammable construction materials. No manufactured home or other structure shall be located within:

- a. Four (4) feet of its individual lot line; or
- b. ~~Fifteen (15)~~ **15** feet of any street or drive within the Manufactured Home Park.

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**4. Height Limit: 35 feet**

**6-24. C-S, Conservation Subdivision** (Adopted in its entirety 12/05/01)

- A. Purpose. The intent of this section is to create a residential Conservation Subdivision procedure. A Conservation Subdivision is a residential subdivision where lots are reduced in size and clustered to protect the natural attributes of the site and provide open space. This open space will be protected from development in perpetuity and will be utilized to protect water quality, water bodies, wetlands, riparian buffers, woodlands, archaeological resources, historic resources, agricultural areas and scenic areas. This open space will also provide flood protection, a reduction in soil erosion and be utilized for recreation. The aforementioned attributes should be taken into consideration in the design of the subdivision. The first step in designing a Conservation Subdivision is to locate and delineate the area and natural attributes to be preserved. The residential lots are located outside of this area. In addition, the clustering of lots can result in lower infrastructure costs both for installation and maintenance. The creation of the Conservation Subdivision Zoning District is to assist Fayette County in fulfilling the goal of permanently protecting 20 percent of the county as greenspace per the Georgia Greenspace Program. The Conservation Subdivision Zoning District is intended for those areas designated Low Density Residential (1 unit/1 to 2 acres) and Rural Residential (1 unit/2 to 3 acres) on the Fayette County Land Use Plan Map. (Amended 08/26/04)

Chairman Powell suggested changing the following sentence: “The creation of the Conservation Subdivision Zoning District is to assist Fayette County in fulfilling the goal of permanently protecting 20 percent of the county as greenspace per the Georgia Greenspace Program” to read as follows: The creation of the C-S Conservation Subdivision is to assist Fayette County in permanently protecting the greenspace in the county.

- B. Rezoning Requirements. The following is required for a rezoning request for the Conservation Subdivision Zoning District in addition to what is normally required for a rezoning request:
  - 1. A request for the Conservation Subdivision Zoning District will require a Yield Plan. The number of lots allowed in a Conservation Subdivision will

be determined by a Yield Plan which is a conventional subdivision design based on the dimensional requirements of the R-70 Zoning District. This concept is referred to as Neutral Density. The Yield Plan must contain the

check list requirements available in the office of the Zoning Administrator. Staff analysis of the Yield Plan will add an additional month to the normal rezoning schedule.

2. The ~~Concept~~ Development Plan shall be required for the rezoning petition ~~will act as the Development Plan for the development.~~ The ~~Concept/~~ Development Plan, as approved, shall establish the layout and uses planned for the development. Any change in the approved ~~Concept/~~ Development Plan, which affects the intent and character of the development, the density or land use pattern, the location or dimensions of streets, or similar substantial changes, must be reviewed and approved by the Board of Commissioners upon the recommendation of the Planning Commission. A request for a revision of the ~~Concept/~~ Development Plan shall be supported by a written statement as to why the revisions are necessary.

Each Conservation Subdivision shall consist of two areas: the Residential Area and the Conservation Area. The Conservation Area will consist of the environmentally sensitive areas including waterways, water bodies, watershed protection areas, floodplains, wetlands, riparian buffers and woodlands, as well as agricultural areas, existing agricultural structures and historical structures. The Conservation Area will remain in a natural and undisturbed state with minimal improvements and will be regulated in a manner consistent with the Georgia Greenspace Program requirements to the greatest degree possible.

In addition to what is normally required on the ~~Concept~~ Development Plan, the ~~Concept/~~ Development Plan must include the following;

- a. A delineation of the attributes (see Purpose) of the site which will be preserved;
- b. A delineation of the Residential Area and the Conservation Area including the acreage within each area;
- c. Uses and improvements planned for the Conservation Area with the acreage devoted to each; and

- d. Indicate and label existing structures to remain.

- C. Uses Permitted within the Residential Area of a Conservation Subdivision. The following permitted uses shall be allowed in the Residential Area of the C-S Zoning District:
1. Single-family dwelling; and
  2. Residential accessory buildings and uses.
- D. Conditional Uses Permitted within the Residential Area of a Conservation Subdivision. The following Conditional Uses shall be allowed in the Residential Area of C-S Zoning District provided that all conditions specified in ~~Section 7-4~~ Article VII. Conditional Uses, Exceptions, and Modifications, Conditional Use Approval, herein are met:
1. Home Occupation;
  2. Developed Residential Recreational/Amenity Areas; and
  3. Telephone, Electric or Gas Sub-Station or other Public Utility Facilities.
- E. Uses Permitted within the Conservation Area of a Conservation Subdivision. The following permitted uses and structures shall be allowed in the Conservation Area of the C-S Zoning District:
1. Trails and paths (impervious trails and paths are limited to five 5 percent of the Conservation Area and trails and paths must comply with the Watershed Protection Ordinance ~~in terms of impervious surface requirements~~);

Pete Frisina suggested revising the five (5) percent limitation for impervious trails and paths which was originally based on the Greenspace Program.

2. Picnic areas which can include picnic tables, grills, benches, playground equipment (swing sets, slides, etc.). Picnic Areas are required to be setback 50 feet from any residential property line and are limited to five 5 percent of the Conservation Area;

Chairman Powell suggested adding a Covered Picnic Pavilion and establishing a maximum square

3. Community gardens for the use of the residents of the subdivision only;
4. Horse stables, animal containment areas and training/riding facilities for the use of the residents of the subdivision only are required to be setback 50 feet from any residential property line;

Pete Frisina said that it had been suggested in the past to remove allowing horse stables in the C-S zoning district.

5. The maintenance of existing orchards and groves including the harvesting of fruit and nuts;
6. The maintenance of existing pastures including the harvesting of hay; and
7. The maintenance of existing farm fields used for row crops including the harvesting of crops. Said fields must be outside of watershed protection areas as described in the Watershed Protection Ordinance. All areas within a watershed protection area can no longer be used for row crops. The area within a watershed protection area could be used in accordance with 6. above.

F. Dimensional Requirements. The minimum dimensional requirements within the Residential Area in the C-S Zoning District shall be as follows:

1. Lot area per dwelling unit:
  - a. Where central sanitary sewage or central water distribution system is provided: 43,560 square feet (one [1] acre)
  - b. Where neither a central sanitary sewage nor a central water distribution system is provided: 65,340 square feet (one and one-half [1.5] acres)
2. Lot width per dwelling unit:
  - a. Major thoroughfare:
    - (1) Arterial: 150 feet

- (2) Collector: 150 feet
    - b. Minor thoroughfare: 125 feet
  - 3. Floor area: 2,100 square feet
  - 4. Front yard setback:
    - a. Major thoroughfare:
      - (1) Arterial: 100 feet
      - (2) Collector: ~~seventy-five (75)~~ 75 feet
    - b. Minor thoroughfare: ~~fifty (50)~~ 50 feet
  - 5. Rear yard setback: ~~thirty (30)~~ 30 feet
  - 6. Side yard setback: ~~twenty (20)~~ 20 feet
  - 7. Height limit: ~~thirty-five (35)~~ 35 feet
- G. Use of Existing Structure. The preservation of existing historic residential structures listed in the Architectural Survey of Fayette County is encouraged as these structures can be used as residences or community facilities for the subdivision. Existing residential structures used for a community facility must meet all applicable building and safety codes and will be regulated as a Conditional Use under Developed Residential Recreational/Amenity Areas. The preservation of existing agricultural structures is also encouraged as they will assist in maintaining a rural character. The use of these residential and agricultural structures will be subject to the approval of the Zoning Board of Appeals in terms of nonconformance with this zoning district.
- H. Conservation Area Requirements. The Conservation Area of the subdivision shall meet the following requirements:
- 1. Ownership. Title to the Conservation Area must be conveyed to one (1) of the following entities:

- a. A Home Owners Association that has been established according to OCGA 44-3-220;
  - b. A Conservation Trust organization approved by the Fayette County Board of Commissioners; or
  - c. The Fayette County Board of Commissioners (for Conservation Areas with no structures only).
2. Size. Each development eligible for treatment as a Conservation Subdivision must place at least 40% **percent** of the total subject property into the Conservation Area notwithstanding the yield plan. This area must be described by metes and bounds.
  3. Permanent Protection. Each Conservation Area regardless of ownership must have a conservation easement as approved by the county attorney filed in the records of the Fayette County Clerk of Superior Court. The easement shall reserve the Conservation Area to conservation uses as defined herein in perpetuity.

Tim Thoms asked how the revisions to the Zoning Ordinance would be made after the PC's review in its entirety.

Pete Frisina replied that he would probably present the revisions in sections to the BOC in at least two (2) or three (3) workshop sessions.

\* \* \* \* \*

Chairman Powell asked if there was any further business.

Pete Frisina presented examples of ground mounted solar panels to the PC. He said it was difficult to find out the sizes of the panels. He noted that he and Dennis Dutton had discussed the appropriate sizes and had determined that in order for ground mounted solar panels to not be counted as an accessory structure, ground mounted solar panels shall not exceed a total of 200 cumulative square feet, shall not exceed ten (10) feet in height, and comply with the location of an accessory structure. He noted that ground mounted solar panels consisting of 200 cumulative square feet up to a maximum of 900 cumulative square feet shall be counted as an accessory structure, shall not exceed ten (10) feet in height, and shall comply with the location of an accessory structure. He confirmed

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that roof mounted solar panels would be considered as part of the structure but if they exceed the 35 foot maximum height requirement, a provision could be added in Article V. for Structures Permitted Above the Height Limit.

Robyn Wilson reminded the PC of the Workshop scheduled for Tuesday, June 30, 2009. She advised that staff would be presenting the remainder of Article VI.

Al Gilbert requested Mrs. Wilson to send an email reminder for the Workshop.

Hearing no further comments, Bill Beckwith made a motion to adjourn the Public Meeting/Workshop. The motion unanimously passed 5-0. The Public Meeting/Workshop adjourned at 8:15 P.M.

**PLANNING COMMISSION**  
**OF**  
**FAYETTE COUNTY**

**ATTEST:**

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**DOUG POWELL**  
**CHAIRMAN**

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**ROBYN S. WILSON**  
**P.C. SECRETARY**